

Message Text

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PAGE 01 STATE 073407
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FM SECSTATE WASHDC
TO AMEMBASSY NOUAKCHOTT
INFO AMCONSUL CASABLANCA
AMEMBASSY RABAT

C O N F I D E N T I A L STATE 073407

E.O. 11652: GDS

TAGS: CASC, PFOR, MO

SUBJECT: CONSULAR REPRESENTATION IN WESTERN SAHARA

REF: NOUAKCHOTT 409

1. ISSUE OF U.S. CONSULAR REPRESENTATION IN WESTERN SAHARA HAS BEEN UNDER REVIEW IN DEPARTMENT FOR SOME MONTHS. FORMAL DETERMINATION OF RESPONSIBILITIES MUST, OF COURSE, AWAIT OUTCOME OF SAHARA DISPUTE AND GENERAL AGREEMENT ON SOVEREIGNTY IN FORMER COLONY. IN INTERIM U.S. POSITION IS COMPLICATED BY OUR INTENTION TO REMAIN NEUTRAL ON SUBSTANCE OF SAHARA DISPUTE AND OUR RESPONSIBILITY FOR PROTECTION OF U.S. CITIZENS.

2. AMPLE PRECEDENT EXISTS FOR DEALING WITH AUTHORITIES
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EXERCISING CONTROL OF A GIVEN TERRITORY, WITHOUT RESPECT TO SOVEREIGNTY, IN ORDER TO ASSURE PROTECTION OF AMERICANS. UNDER CIRCUMSTANCES PREVAILING IN SAHARA, SIMILAR INFORMAL APPROACH WILL SERVE OUR PURPOSES. USG ACCEPTS

MAURITANIAN/MOROCCAN DE FACTO ADMINISTRATION OF THE WESTERN SAHARA, BASED ON NOVEMBER 1975 ACCORD WITH SPAIN. WE

BELIEVE THESE GOVERNMENTS WOULD TURN TO RESPECTIVE U.S.

EMBASSIES, AND RESPOND TO APPROACHES FROM THESE EMBASSIES, IN ANY CASES INVOLVING U.S. CITIZENS IN SAHARAN TERRITORIES UNDER THEIR CONTROL. IN ABSENCE OF OTHER ADMINISTERING AUTHORITY (AND GIVEN CLEAR U.S. NON-RECOGNITION OF SDAR), EMBASSIES NOUAKCHOTT AND/OR RABAT MAY DEAL WITH HOST GOVERNMENTS IN SITUATIONS INVOLVING PROTECTION AND WELFARE OR OTHER CONSULAR ACTIVITIES ON BEHALF U.S. CITIZENS OR FIRMS. IF APPROACHED BY U.S. CITIZENS OR BUSINESSES INTERESTED IN SAHARA, EMBASSIES SHOULD PROVIDE FACTUAL STATEMENT OF PREVAILING SITUATION. EMBASSIES SHOULD NOT RPT NOT ENCOURAGE AMCIT ACTIVITY IN SAHARA BUT NEITHER SHOULD THEY IMPLY THAT AMERICAN CITIZENS TRAVELING IN THAT REGION COULD NOT AVAIL THEMSELVES OF NORMAL CONSULAR PROTECTION.

3. WE BELIEVE IT UNLIKELY THAT MAURITANIAN/MOROCCAN GOVERNMENTS WOULD QUESTION EMBASSIES NOUAKCHOTT/RABAT AUTHORITY TO DEAL WITH SUCH CASES (WHICH GIRM/GOM WOULD SEE AS BUTTRESSING THEIR OWN SOVEREIGNTY CLAIMS). AT SAME TIME, OUR WILLINGNESS TO DEAL WITH ADMINISTERING AUTHORITIES IN PROTECTION AND WELFARE CASES WOULD NOT RPT NOT OF ITSELF ALTER THE U.S. PUBLIC POSITION OF NEUTRALITY.

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Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
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